

REMARKS

Claims 11 –19 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1 - 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Ashton (U.S. Pat. No. 5,996,614). This rejection is respectfully traversed.

Claims 1-10 are cancelled. This rejection, therefore, is moot.

REJECTION UNDER 35 U.S.C. § 103

Claims 11 - 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ashton in view of Chrysler (U.S. Pat. No. 5,392,805). This rejection is respectfully traversed.

Claim 11 has been amended to call for a valve assembly disposed at a second end of the elongated pipe, wherein the valve assembly includes a valve member that is located within a housing that includes an inlet portion and an outlet portion. The inlet portion includes a fluid inlet and the outlet portion includes at least one radial outlet port. This subject matter is supported throughout the specification and drawings as originally filed. No new matter has been added. Specifically, this subject matter is supported in Figures 6 and 7 of the application.

Furthermore, claim 11 has been amended to call for, when the valve member is in the open position, the second passageway to align with the radial outlet port to define

a fluid communication path through the first and second valve elements and the radial outlet port downstream along the valve stem toward the spigot. This subject matter is also described throughout the specification and drawings as originally filed and, particularly, at paragraph [0029] of the specification. Again, no new matter has been added.

The alleged combination of Ashton and Chrysler does not yield such a frost free faucet. More particularly, referring to Figure 2 of Ashton, it can be seen that Ashton does not teach, suggest, or provide motivation to provide a fluid communication path that travels along a valve stem. That is, Ashton merely teaches an outlet 36 wherein a fluid can exit a valve assembly. Ashton, however, depicts a structure wherein the water is prevented from traveling along the valve stem 38 by the housing 12. Since Ashton teaches a structure wherein water is prevented from traveling along the valve stem, Ashton effectively teaches away from the claimed structure including a fluid communication path that travels downstream along the valve stem and towards a spigot.

Chrysler also contains no teaching, suggestion, or motivation for such a structure. Specifically, Chrysler teaches a structure wherein a fluid communication path actually travels through an actuator stem 56. As such, Chrysler also fails to teach or suggest a structure wherein a fluid communication path exists through a first and second valve element and radial outlet port formed in an outlet portion of a housing downstream along a valve stem and toward a spigot. Since neither Ashton, Chrysler, nor any combination thereof teaches or suggests the claimed fluid communication path, the claimed frost free faucet would not have been obvious.

Claims 1 – 3, 5, 7 – 9, and 11 – 16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Chrysler in view of Ashton.

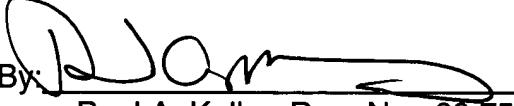
As stated above, neither Ashton nor Chrysler teach or suggest the claimed fluid communication path. Since neither reference teaches or suggests such a structure, the claimed frost free faucet would not have been obvious. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: September 2, 2007

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